

Detailed Action

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 12/21/09 has been entered.

Amended Claims 1-3, 5, 6, 10, 11, 13, 21, 22, 27, 40-42, 45, 47, 106, 128, 151, 259-266, 270 and 271 submitted on 01/11/10 are pending in this application for examination and are now under consideration.

Rejections and/or objections not reiterated from previous office action are hereby withdrawn.

Priority

This application is a 371 of PCT/US04/25932 filed on 08/11/2004 which claims benefit of 60/494,472 filed on 08/11/2003.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on 08/06/09 and 09/09/08 are in compliance with the provisions of 37 CFR 1.97 and accordingly, the examiner has considered the information disclosure statement and initialed the same.

Allowable Subject Matter

Claims 1-3, 5, 6, 10, 11, 13, 21, 22, 27, 40-42, 45, 47, 106, 128, 151, 259-266, 270 and 271 are allowed.

The following is an examiner's statement of reasons for allowance:

All allowed claims are limited to an isolated polynucleotide having at least 95% sequence identity to SEQ ID NO: 23 and encoding a polypeptide having at least 95% sequence identity to the amino acid sequence of SEQ ID NO: 24, said polypeptide having laccase activity and method of making and method of using said polypeptide. Following a diligent search it was determined that the prior art neither teaches nor suggests an isolated polynucleotide comprising the nucleic acid sequence of SEQ ID NO: 23 and encoding a polypeptide comprising the amino acid sequence of SEQ ID NO: 24, said polypeptide having laccase activity.

Any comments considered necessary by applicant must be submitted no later than the payment of issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Final Comments

To insure that each document is properly filed in the electronic file wrapper, it is requested that each of amendments to the specification, amendments to the claims, Applicants' remarks, requests for extension of time, and any other distinct papers be submitted on separate pages.

It is also requested that Applicants identify support, within the original application, for any amendments to the claims and specification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ganapathirama Raghu whose telephone number is 571-272-4533. The examiner can normally be reached between 8 am-4:30 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for

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the organization where this application or proceeding is assigned is 571-273-8300 for regular communications and for After Final communications. Any inquiry of a general nature or relating to the status of the application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ganapathirama Raghu/
Patent Examiner
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